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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

August 3, 2021

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Garland:

In August of 2019, the Department of Justice created Joint Task Force Vulcan (JTVF) to serve as a strategic and comprehensive collaboration between federal, local, and international law enforcement to combat and disrupt MS-13.¹ As you know, one DOJ analysis from 2017 estimated that there are at least 10,000 MS-13 members in the United States.² In suburban New York for example, MS-13 was linked to 38 percent of all murders over the course of 2016 and 2017.³ MS-13 is a violent street gang that operates both here in the United States, and throughout Mexico and Central America, and JTVF was created to combat and contain MS-13. However, DOJ hasn't released any news or updates on Task Force Vulcan in months; an online search of DOJ's publicly searchable website shows that the last DOJ news release for "JTVF" or "Vulcan" was from January 14, 2021, regarding an indictment in New York charging 14 MS-13 leaders with narcoterrorism related offenses.⁴ January 14, 2021 was of course just prior to President Biden's inauguration. As a result, the public and Congress are unsure what strategy or plan, if any, DOJ is employing to combat MS-13.

In the past four years, 2017-2020, Customs and Border Protection apprehended an average of 294 MS-13 gang-members a year.⁵ In those same years, 2017-2020, Customs and Border Protection found or arrested over 3 million illegal aliens, averaging about 750,000 people a year.⁶ This year however, with the increasingly open border between the US and Mexico, CBP has already encountered or arrested over 1.2 million illegal aliens, which represents a significant increase above

¹ Press Release, Dep't. of Justice Off. of Public Affairs, Department of Justice Releases Report on its Efforts to Disrupt, Dismantle, and Destroy MS-13 (Oct. 21, 2020), <https://www.justice.gov/opa/pr/department-justice-releases-report-its-efforts-disrupt-dismantle-and-destroy-ms-13>.

² Press Release, Dep't. of Justice, Department of Fact Sheet on MS-13 (April 18, 2017), <https://www.justice.gov/opa/speech/file/958481/download>.

³ Marisa Schultz, *MS-13 is Turning Long Island into a Homicide Hotbed*, NEW YORK POST (May 24, 2017), <https://nypost.com/2017/05/24/ms-13-is-turning-long-island-into-a-homicide-hotbed/>.

⁴ Press Release, Dep't. of Justice Off. of Public Affairs, MS-13's Highest-Ranking Leaders Charged with Terrorism Offenses in the United States (Jan. 14, 2021), <https://www.justice.gov/opa/pr/ms-13-s-highest-ranking-leaders-charged-terrorism-offenses-united-states>.

⁵ Press Release, U.S. Customs and Border Protection, CBP Enforcement Statistics Fiscal Year 2021 (2021), <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

⁶ *Id.*

previous years' averages.⁷ However, even though the total number of people illegally entering the United States has increased, CBP has only apprehended 71 MS-13 trying to enter the US this year, which represents a 75% *decrease* from previous years' average.⁸ The obvious logical conclusion is that MS-13 members are successfully avoiding identification and sneaking past Border Patrol into the country, as agents focus their time and attention on dealing with unaccompanied children at the border or asylum seekers. In fact, one Border Patrol chief in Texas said exactly as much, stating that MS-13 members are using the high number of migrants entering the US to blend in and sneak past agents.⁹

Yet, even if CBP is not catching all MS-13 members trying to sneak into the country, they are still catching *some* of them when they are able to successfully identify them. On April 13, 2021 Border Patrol agents arrested a female MS-13 member from El Salvador who was travelling with another undocumented alien who had previously been convicted of murder in Houston.¹⁰ Only a few weeks later, on April 27, 2021, agents also arrested a MS-13 member who was a convicted felon with an outstanding warrant near Yuma, Arizona.¹¹ Additionally, here in the capitol region, local police in Gaithersburg, Maryland arrested an MS-13 member after he lured a 15 year old girl into an apartment and tried to rape her in May of this year.¹²

Consequently, MS-13 may actually be an even bigger threat now than ever before, given CBP's apparent failure or inability to accurately identify and apprehend MS-13 members amid the record-high numbers of people entering the US through the southern border right now. Therefore, collaborative and comprehensive law enforcement partnerships like Joint Task Force Vulcan are more important than ever before. However, the DOJ's lack of public updates on JTFV leaves Congress and the American people with questions, including whether Task Force Vulcan still exists. This is especially frustrating considering that more and more Americans than ever are searching for a sense of safety and security amidst the recent spike in violent crime.

Therefore, to help Congress and the American people better understand what the DOJ is doing to protect us all from the ever-present threat of MS-13, please provide answers to the following questions no later than August 23, 2021:

1. Does Joint Task Force Vulcan still exist?
2. If not, who made the decision to shutter JTFV?
3. If JTFV does still exist, who is currently in charge of it?
4. What was JTFV's budget prior to President Biden's inauguration?
5. What is JTFV's budget now (if JTFV still exists)?

⁷ *Id.*

⁸ *Id.*

⁹ Isabel Vincent, *MS-13, Other Gang Members Exploit Migrant Wave to Cross into U.S.*, NEW YORK POST (May 1, 2021), <https://nypost.com/2021/05/01/ms-13-other-gang-members-exploit-migrant-wave-to-cross-into-us/>.

¹⁰ Press Release, United States Customs and Border Protection, Convicted Murderer and a MS-13 Arrested by RGV Border Patrol (Apr. 13, 2021), <https://www.cbp.gov/newsroom/local-media-release/convicted-murderer-and-ms-13-arrested-rgv-border-patrol>.

¹¹ Press Release, U.S. Customs and Border Protection, Agents Apprehend MS-13 Gang Member (Apr. 27, 2021), <https://www.cbp.gov/newsroom/local-media-release/agents-apprehend-ms-13-gang-member>.

¹² Kevin Lewis, *FaceTime Saves Girl, 15, from Rape After MS-13 Member Lures Her into Home, Police Say*, KPIC (June 30, 2021), <https://kpic.com/news/nation-world/facetime-saves-girl-15-from-rape-after-ms-13-member-lures-her-into-home-police-say>.

6. How many individuals were assigned to JTFV prior to President Biden's inauguration?
7. How many individuals are currently assigned to JTFV (if JTFV still exists)?
8. Does the DOJ currently have any calculated or comprehensive task forces or strategic plans to combat MS-13?
9. Please provide any statistics on the number of MS-13 members who have been charged with crimes either at the federal level or at the local level within the last 5 years, to include the types of offenses.

Thank you for your prompt attention to this matter. Please contact John Cooper of my Judiciary Committee staff if you have any questions.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Judiciary